

**THE TOWN AND COUNTRY PLANNING ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2011
SCOTTISH EXECUTIVE DEVELOPMENT DEPARTMENT CIRCULAR 03/2011**

RESPONSE OF SOUTH AYRSHIRE COUNCIL TO A PLANNING APPLICATION SUBMITTED WITHOUT AN ENVIRONMENTAL STATEMENT. THE PROPOSED DEVELOPMENT FALLS WITHIN THE SCOPE OF THE TOWN AND COUNTRY PLANNING ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2011 AND MUST THEREFORE BE CONSIDERED IN TERMS OF THE NEED TO BE ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT. THE PROPOSED DEVELOPMENT SITE IS LOCATED TO THE NORTH OF 3 BOUNDARY ROAD, AYR

The proposed development is for the erection of a car showroom/workshop and valet buildings and associated landscaping works on an area of partially vacant land. The area of the works extends to approximately 1.6 hectares. The proposal is Schedule 2 development under the terms of the above regulations and must therefore be screened in order to determine whether the proposal constitutes 'EIA development'.

This determination is referred to as a '**screening opinion**'. In each case, the basic question to be asked is: 'would this particular development be likely to have significant effects on the environment?'

For many types of development, perhaps the majority, it will be necessary to consider the characteristics of the development in combination with its proposed location in order to identify the potential for interactions between a development and its environment and therefore determine whether there are likely to be significant environmental effects. In determining whether a particular development is likely to have such effects, the Council has taken account of the selection criteria in Schedule 3 to the Regulations (reproduced at Annex A to Circular 3/2011). Three categories of criteria are listed:-

- Characteristics of the development
- Location of the development
- Characteristics of the potential impact

Consideration of the third of these categories is designed to help in determining whether any interactions between the first two categories (i.e. between a development and its environment) are likely to be significant.

The content of this checklist meets the requirements of the Town and Country Planning (Environment Impact Assessment) (Scotland) Regulations 2011 – Schedule 3 selection criteria for screening Schedule 2 development.

	Yes/ No	Briefly describe	Is effect likely to be significant? Significance should be considered in terms of the extent, transboundary nature, magnitude and complexity, probability, duration, frequency and reversibility of any impact(s).
1. Characteristics of the Development			
(a) Scale of the development			
Will the development be out of scale with the existing environment?	No		
Will it lead to further consequential development or works (e.g. new	No		

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roads, extraction of aggregate, generation or transmission of power)?			
(b) Cumulation with other development			
Are there potential cumulative impacts with other existing development or for proposed development in the planning system?	No		
Should the application for this development be regarded as an integral part of a more substantial project? If so, can related developments which are subject to separate applications proceed independently?	No		
(c) Use of natural resources			
Will construction or operation of the development use natural resources i.e. land (especially undeveloped or agricultural land)? <ul style="list-style-type: none"> • water or fisheries? • minerals or aggregates? • agriculture, forests and timber? • energy including electricity and fuels? • any other resources? 	Yes	The proposed development site comprises a cleared, vacant site.	No.
(d) Production of waste			
Will the development produce wastes during construction or operation or decommissioning?	Yes	Any waste will be minimal.	No.
(e) Pollution and nuisances			
Will the development cause noise and vibration or release of leachates, light, heat energy or electromagnetic radiation during construction or operation or decommissioning?	Yes	There will be noise and vibration as a result of the proposal.	No. Given surrounding land uses and the extent of the works, any impacts in this regard will be insignificant.
(f) Risk of accidents, having regard in particular to substances technologies used			
Will there be a risk of accidents during construction or operation of the development which could have effects on people or the environment?	Yes	There will always be a risk of accidents during the construction phase.	Any risks in this regard, should be managed by the developer.
(g) Other characteristics: potential physical changes (topography, land use, changes in waterbodies etc) from construction, operation or decommissioning of the development			
<ul style="list-style-type: none"> • permanent or temporary change in land use, landcover or topography including increases in intensity of land use? 	Yes	The use of the land will change.	No. The site comprises a largely undeveloped site within the urban and commercial area of Heathfield, Ayr.

	Yes/ No	Briefly describe	Is effect likely to be significant? Significance should be considered in terms of the extent, transboundary nature, magnitude and complexity, probability, duration, frequency and reversibility of any impact(s).
• peat land disturbance and/ or degradation leading to: carbon release, damage to habitats, affecting land stability or hydrology?	No		
• pre-construction investigations e.g. boreholes, soil testing?	No		
• construction, demolition, reclamation or excavation works?	Yes	There will be construction works.	No.
• underground works ?	No		
• facilities for storage of goods or materials?	No		
• new road, rail, air or sea traffic or infrastructure during construction or operation or decommissioning?	Yes	Drainage infrastructure and internal roads will be required.	No. The extent of works suggests that there will be no significant effects in this regard.
• new or diverted transmission lines or pipelines?	No		
• any works requiring an authorisation under the Water Environment (Controlled Activities)(Scotland) Regulations 2005	No		
• long-term/ongoing activity during restoration or decommissioning which could have an impact on the environment?	No		
• influx of people to an area either temporarily or permanently?	Yes	There will be a temporary influx of construction workers. Given that the site is to be used for commercial purposes, it is anticipated that there will be increased activity within the area during the operation of the facility.	No. It is not considered that this would create any significant effects given the commercial nature of this area.
• any other changes?	No		
2. Location of the Development			
(a) Existing land use			
Are there existing land uses on or around the location which could be affected by the development, e.g. undeveloped land, Greenfield land, homes, other private property, industry, commerce, tourism and recreation, public open space, community facilities, agriculture, forestry, tourism, water catchments, functional floodplains, mining or quarrying?	Yes	The site lies within an industrial area, and therefore the site is bound by commercial uses. A tree belt and open space are located to the north, beyond which lies residential property. The proposed commercial uses will generate additional traffic within the industrial	No. It is not considered that there will be any significant effects in this regard. Nonetheless, any issues in terms of the capacity of the road network can be addressed as part of the planning application process.

	Yes/ No	Briefly describe	Is effect likely to be significant? Significance should be considered in terms of the extent, transboundary nature, magnitude and complexity, probability, duration, frequency and reversibility of any impact(s).
		estate area which may have minor impacts for the existing businesses. The residential properties to the north are served via a different access road separate from the application site.	
(b) Relative abundance, quality and regenerative capacity of natural resources in the area			
Are there any areas on or around the location which contain important, high quality or scarce resources which could be affected by the development?	No		
(c) Absorption capacity of the natural environment			
Are there any areas on or around the location which are protected under international or national or local legislation for their ecological, landscape and visual, cultural or other value, which could be affected by the development? Particular attention should be paid to wetlands, watercourses or other waterbodies, the coastal zone, mountains, forests or woodlands, nature reserves and parks.	No		
Are there any groundwater source protection zones or areas that contribute to the recharge of groundwater resources?	No		
Are there protected species in or around the location, for example European Protected Species, which could be affected?	No		
Are there any routes or facilities on or around the location which are used by the public for access to recreation or other facilities, which could be affected?	No	There is a public path to the north of the site which connects with the open space and residential properties, however, this is outwith the application site.	No.
Are there any areas or features of historic or cultural importance on or around the location which could be affected?	No		
Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected?	No		
Is the development in a location where it is likely to be highly visible to many people?	No	The site presents a frontage onto the existing industrial estate, and is visible	No.

	Yes/ No	Briefly describe	Is effect likely to be significant? Significance should be considered in terms of the extent, transboundary nature, magnitude and complexity, probability, duration, frequency and reversibility of any impact(s).
		in the immediate vicinity only.	
Is the location of the development susceptible to earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions which could cause the development to present environmental problems?	No		

Conclusions

From the assessment undertaken in accordance with the Regulations and Circular 03/2011, the Council concludes that the proposed development at Boundary Road, Ayr, as shown on the map forming part of the application submission, is unlikely to result in effects on the environment which are sufficiently significant to require the submission of an environmental statement.